

Sri A. KRISHNA SHETTY.—The Hon'ble Minister had gone there, but he has not taken the people into confidence.

Mr. SPEAKER.—So it comes to a question of confidence, not law. The question is :

“That the Mangalore Port Trust (Amendment) Bill, 1963, be taken into consideration.”

The motion was adopted.

CLAUSES 2 to 4.

Mr. SPEAKER.—The question is :

“That Clauses 2 to 4, both inclusive, stand part of the Bill.”

The motion was adopted.

Clauses 2 to 4, both inculsive, were added to the Bill.

CLAUSE 1, TITLE AND PREAMBLE.

Mr. SPEAKER.—The question is :

“That Clause 1, the Title and the Preamble stand part of the Bill.”

The motion was adopted.

Clause 1, the Title and the Preamble were added to the Bill.

Motion to pass.

Sri VEERENDRA PATIL.—I beg to move :

“That the Mangalore Port Trust (Amendment) Bill, 1963, be passed.”

Mr. SPEAKER.—The question is :

“That the Mangalore Port Trust (Amendment) Bill, 1963, be passed.”

The motion was adopted.

THE MYSORE DRAMATIC PERFORMANCES BILL, 1963.

(as Reported by the Joint Select Committee.)

Motion to consider.

Sri B. D. JATTI (Minister for Finance).—Sir, I beg to move :

“That the Mysore Dramatic Performances Bill, 1963, as reported by the Joint Select Committee be taken into consideration.”

Mr. SPEAKER.—Motion moved :

“That the Mysore Dramatic performances Bill, 1963, as reported by the Joint Select Committee be taken into consideration.”

Sri B. D. JATTI.—Sir, this Bill was discussed in detail before it was sent to the Select Committee. It is known to everybody that this is a Bill which is essentially a preventive measure. The Joint Select Committee has taken into consideration all the view-points which were expressed here in this House and other House.

Similarly, Sir, they gave an opportunity to those persons who are likely to be affected by the passing of this Bill and after taking into consideration all the necessary view-points, the Joint Select Committee has submitted the Report.

It is true that there are some Members on the Joint Select Committee who have not concurred with the majority view. So, they have submitted a dissenting note. Even here, it may have to be decided by a vote. If there are some Hon’ble Members like Sri G. V. Gowd, who want to oppose this, it is a different matter. But when a Bill is sent to the Select Committee or the Joint Select Committee, it is presumed that the principles involved in the Bill are accepted by the entire House.

Sri G. V. GOWDA.—No. We even opposed the motion to refer to the Select Committee.

Sri B. D. JATTI.—Sir, the Hon’ble Member will be at liberty to oppose as vehemently as it is possible for him. The convention which we have followed so far is, the principles which are involved in the Bill are supposed to be explained when the Bill is sent for the Select Committee. If he wants to go against this well established convention, I have nothing to say about it.

In this Bill, Sir, the Joint Select Committee has made six changes and three are very minor and three are more important.

First is, Clause 3 has been amended so as to make it incumbent upon the State Government to issue notice to the persons concerned with the drama stating in that notice the grounds on which they want to prohibit and when they go through the grounds and when they give their explanation, and if the grounds given and the explanations made by the persons concerned are satisfactory to the Government, then the Government can give a decision that it is not necessary to prohibit. If it is not satisfied, in that case, they will say that it will be prohibited. This arrangement was not there in the original Bill. Because it was suggested by some Hon’ble Members who were interested in the drama and some Hon’ble Members who spoke on the Bill here made the suggestion and explained, it has to give sufficient ground and explain why Government should take any action.

Secondly, in order to facilitate the filing of appeals in time, it has also been provided in clause 3, that every prohibitory order should be

(SRI B. D. JATTI)

published in the official gazette. That was not to be found in the original Bill. That change has been made as per the suggestion of the Joint Select Committee.

Thirdly, a suggestion is made in Clause 11 to deal with companies. Separate and specific provision had been made dealing with the companies. There was no provision of this kind in the original Bill. This is a suggestion made in the Joint Select Committee.

These are the three important suggestions or changes made. The other three are very minor. I do not think it will be necessary for any Hon'ble Member to oppose it. They will have to accept it and pass it unanimously, Sir.

SRI G. V. GOWDA.—Sir, some of us opposed the motion to refer the Bill to the Joint Select Committee. Does it mean that we are committed even when that motion was passed by a majority vote.

MR. SPEAKER.—I am glad that the point is taken up today and not tomorrow, for the reason that before we consider the question of referring it to Select Committee the basic principles are considered. If these basic principles are rejected by saying, that they refuse to refer it to the Select Committee, it is a different thing. But when the House wants to refer it to a Select Committee, it means that the House agrees in principle. Changes may be necessary for the implementation of the Bill and to effect such changes, the Bill is referred to a Select Committee. Otherwise, if it is to be rejected, why spend so much money and time on it? Why not put it to vote and throw it out?

SRI G. V. GOWDA.—In the dissenting note, they have said that there is no need for this Legislation.

MR. SPEAKER.—That is exactly why I say that it is beyond the scope of the dissenting minute.

SRI G. V. GOWDA.—Even if this Bill is passed much against our wishes here, is it not open to us to say that this law is not a good law and that this law need not have been passed at all?

6-00 P.M.

MR. SPEAKER.—Rule 73 (3)—Motions after introduction of Bills:

“(3) On the day on which any motion that the Bill be taken into consideration by the Assembly either at once or at some future day is moved, the principle of the Bill and its general provisions may be discussed, but the details of the Bill shall not be discussed further than is necessary to explain its principles.”

These principles are discussed at that stage and the vote of the House is taken. When the vote of the House is taken, it means that the House is committed to the Bill and its principles are accepted. He may also refer to Rule 76 (1).

(MR. SPEAKER)

“ 76 (1) After the presentation of the final report of a select or Joint Select Committee on Bill, the member in charge may move:

(a) that the Bill as reported by the Select or the Joint Select Committee be taken into consideration : ”

Therefore, the Hon’ble Member cannot go on questioning the elementary principles.

Sri G. V. GOWDA.—What was voted was that the Bill might be referred to a Joint Select Committee. The Joint Select Committee could have thrown out that Bill, saying that it was unnecessary. They have not done it; they ought to have done it. That will be our comment.

Mr. SPEAKER.—How can the Hon’ble Member say that something is wrong ? He may please read Rule 77 :

“ The debate on a motion that the Bill as reported by the Select or Joint Select Committee be taken into consideration, shall be confined to consideration of the report of the Select or Joint Select Committee and the matters referred to in that report or any alternative suggestions consistent with the principle of the Bill.”

Sri H. R. KESHAVA MURTHY.—The Minister said that the Joint Select Committee has no power to reject the Bill.

Sri B. D. JATTI.—Hundred per cent correct.

Mr. SPEAKER.—They may achieve the object in another indirect manner. For example, while considering the Bill clause by clause, they may vote it down. It is open to them to do so but they cannot say that the principles are wrong. If, in regard to a particular clause the majority say ‘ No ’, then the clause goes.

Sri A. KRISHNIAH SETTY.—We have to take the circumstances or conditions under which the Bill was referred to the Joint Select Committee.

Mr. SPEAKER.—Who is going to decide that ? The rules are there, binding on everybody.

Sri S. RAJAGOPAL.—Suppose the Select Committee has refused to get that Bill passed.

Mr. SPEAKER.—If they simply report, it means that it has no amendments to make. The House now stands adjourned and will meet to-morrow at 1 P.M.

The House adjourned at Five Minutes past Six of the Clock to meet again at One of the Clock on Wednesday, the 18th December 1963.